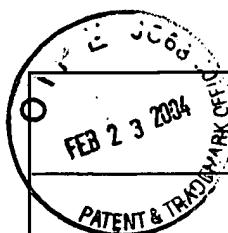


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2800



**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF APPEALS**

ATTORNEY DOCKET NO.

RD-27966-2

IN RE APPLICATION OF

Mark P. D'Evelyn et al.

SERIAL NUMBER

09/839,941

FILED

04/20/01

FOR

HOMOEPIAXIAL GALLIUM-NITRIDE BASED
PHOTODETECTOR AND METHOD FOR
PRODUCING

GROUP ART UNIT

2812

EXAMINER

W. S. Louie

To the Assistant Commissioner for Patents:

Applicant hereby appeals to the Board of Appeals from the decision dated

11/19/03

of the

Examiner finally rejecting claims 1-49, 59-106, 124 and 125

The \$330.00 Appeal Fee is:

enclosed

not required (fee paid in prior appeal in this application).

requested to be charged to Deposit Account No. 07-0868.
(Three copies of this Notice are enclosed herewith.)

02/25/2004 CNGUYEN 00000048 070868 09839941

01 FC:1401 330.00 DA

Robert P. Santandrea
(signature)[note 37.CFR 1.191(b)]

Robert P. Santandrea

Reg. No. 45,072

2/19/04

(date)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

2/19/04

Date of Deposit

Kathy L Parks

Type or Print Name

Kathy L Parks

Signature